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Attorney Docket No. : 035683.00023

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450.

Rachel Watt

Name of person signing the certification

Madellott December 23, 2005

Signature

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3654

Examiner: Terrell Howard Matthews

In re application of

Thor J. Johannsen

Serial No.

10/705,551

Filing Date

November 11, 2003

Title

MATERIAL CLASSIFIER

HAVING A SCOOP WHEEL

AMENDMENT & RESPONSE TO OFFICE ACTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 23, 2005, please amend the aboveidentified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.